

House Bill 591

By: Representative Manning of the 32<sup>nd</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 20-1A-10 of the Official Code of Georgia Annotated, relating to  
2 consultation by the Department of Early Care and Learning on early care and education  
3 programs and Code Section 49-5-12 of the Official Code of Georgia Annotated, relating to  
4 licensing and inspection of child welfare agencies by the Department of Human Resources,  
5 so as to transfer certain duties relating to day-care centers, family day-care homes, group  
6 day-care homes, and child care learning centers from the Department of Human Resources  
7 to the Department of Early Care and Learning for purposes of conformity; to provide for  
8 related matters; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Code Section 20-1A-10 of the Official Code of Georgia Annotated, relating to consultation  
12 by the Department of Early Care and Learning on early care and education programs, is  
13 amended by inserting a new subsection to read as follows:

14 "(n.1) The department shall recommend in writing to the owner of any facility operated as  
15 a day-care center, family day-care home, group day-care home, or child care learning  
16 center that such facility carry liability insurance coverage sufficient to protect the facility's  
17 clients. Any such facility which after receiving such recommendation is not covered by  
18 liability insurance shall post that fact in a conspicuous place in the facility and shall notify  
19 the parent or guardian of each child under the care of the facility in writing. Such notice  
20 shall be in at least 1/2 inch letters. Each such parent or guardian must acknowledge receipt  
21 of such notice in writing and a copy of such acknowledgment shall be maintained on file  
22 at the facility at all times while the child attends the facility and for 12 months after the  
23 child's last date of attendance. Failure to do so may subject the owner of the facility to a  
24 civil fine of \$1,000.00 for each such infraction."

**SECTION 2.**

Code Section 49-5-12 of the Official Code of Georgia Annotated, relating to licensing and inspection of child welfare agencies by the Department of Human Resources, is amended by repealing in its entirety subsection (t), which reads as follows:

"(t) The department shall recommend in writing to the owner of any facility operated as a day-care center, family day-care home, group day-care facility, or group day-care home or any child learning center licensed by the Department of Early Care and Learning that such facility carry liability insurance coverage sufficient to protect the facility's clients. Any such facility which after receiving such recommendation is not covered by liability insurance shall post that fact in a conspicuous place in the facility and shall notify the parent or guardian of each child under the care of the facility in writing. Such notice shall be in at least 1/2 inch letters. Each such parent or guardian must acknowledge receipt of such notice in writing and a copy of such acknowledgment shall be maintained on file at the facility at all times while the child attends the facility and for 12 months after the child's last date of attendance. Failure to do so may subject the owner of the facility to a civil fine of \$1,000.00 for each such infraction."

**SECTION 3.**

All laws and parts of laws in conflict with this Act are repealed.